

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

C.A. No. 05-11323MLW

CRYSTAL A. ATHERTON and	)	
ROBERT W. ATHERTON	)	
Plaintiffs	)	
	)	
vs	)	PLAINTIFF'S MOTION TO CONTINUE
	)	SCHEDULING CONFERENCE
CITY OF BEVERLY, WILLIAM F.	)	(ASSENTED TO)
SCANLON, JOHN DUNN	)	
Defendants	)	
	)	

Now comes the Plaintiff and moves to continue the Scheduling Conference scheduled for Thursday, May 25, 2006 at 4 PM, as Plaintiff's counsel requires additional time to review the Defendant's recently filed Motion for Judgment on the Pleadings with his clients to decide what the response should be to said Motion and to prepare a response.

Further, he is attending a continued Grant Committee Meeting of the Mass Bar Foundation involving several hundred thousand dollars in grants to numerous charitable organizations and he is presenting a report on his personal investigation of three applicants for funding.

Defendant's counsel has no objection to the Court continuing this matter to the Court's next convenient date, preferably after Plaintiff has had a reasonable time to respond to the Defendant's recently filed Motion for Judgment.

THE PLAINTIFFS,  
BY THEIR ATTORNEY,



JORDAN L. SHAPIRO  
Shapiro & Hender  
640 Main Street  
Malden, MA 02148  
781 324 5200  
BBO #454240

DATED: May 23, 2006

Assented to:  
Elizabeth Corbo  
Counsel for Defendants

Subj: **RE: I reviewed the joint scheduling-- JORDAN**  
Date: 5/23/2006 6:42:40 A.M. Eastern Standard Time  
From: ECorbo@k-plaw.com  
To: JSLAWMA@aol.com

The motion looks fine and you have my assent. No need to fax it over. I guess we both are guilty of being workaholics!

-Libby

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**From:** JSLAWMA@aol.com [mailto:JSLAWMA@aol.com]  
**Sent:** Monday, May 22, 2006 9:54 PM  
**To:** Elizabeth Corbo  
**Subject:** Re: I reviewed the joint scheduling-- JORDAN

In a message dated 5/22/2006 9:19:29 P.M. Eastern Standard Time, ECorbo@k-plaw.com writes:

Your motion sounds fine -- I have no objection. It seems more efficient to reschedule, but I am not sure the court will agree. If you can just shoot it over in final form, I'll take a look and get right back to you.

You're working too late....

See attached final form I intended to have my secretary fax to you tomorrow.  
JORDAN